

IN RE: PETITION FOR VARIANCE  
W/S Chesapeake Avenue, 215' N of the  
c/I Chester Road  
(1312 Chesapeake Avenue)  
15<sup>th</sup> Election District  
5<sup>th</sup> Council District

John J. Terzano, et ux  
Petitioners

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 02-330-A  
\*

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, John J. and Lois E. Terzano. The Petitioners seek relief from the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a dwelling on an undersized lot, pursuant to Section 304, and to permit a lot width of 50 feet in lieu of the required 70 feet, a side yard setback of 3 feet in lieu of the required 15 feet, and a sum of the side yards of 13 feet in lieu of the required 25 feet, pursuant to Section 1B02.3.C.1 thereof; and, from Section 400.1 to permit an accessory structure (garage) to be located in the front yard in lieu of the required rear yard. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were John and Lois Terzano, property owners, and Vincent Moskunus and Bernadette Moskunus, representatives of Site Rite Surveying, Inc., the consultants who prepared the site plan for this property. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is a rectangular shaped, waterfront lot located on the southwest side of Chesapeake Avenue on Middle River. The property is also known as Lot 164 of Long Beach Estates, which is an older subdivision that was recorded in the Land Records of Baltimore County in 1914, long before the enactment of zoning regulations in Baltimore County. Thus, the layout of the individual lots in this community does

ORDER RECEIVED FOR FILING  
Date 4/12/12  
By [Signature]

not comply with current zoning regulations. The subject property contains a gross area of 0.457 acres, more or less, zoned D.R.3.5, and is 50 feet wide by approximately 400 feet deep in dimension. Although the property contains sufficient area (19,950 sq.ft.) for development with a single family dwelling, it lacks sufficient width and as such, compliance with the side yard setback regulations is not feasible. In any event, the property is presently improved with a single family dwelling, which was constructed many years ago, and a shed. Mr. & Mrs. Terzano propose razing the two structures and constructing a new home with a detached two-car garage in their place. The new house will be located essentially in the same footprint as the existing dwelling; however, will be located 3 feet from the east-side property line. The house was situated as proposed due to the significant distance from that side property line of the dwelling on the adjacent lot. Moreover, the dwelling has been oriented to face the water. In addition, the proposed garage will be located to the rear of the dwelling, in that portion of the yard between the house and the road.

Insofar as the lot width and setback regulations, it is clear that variance relief should be granted. This property is unique by virtue of its long and narrow configuration. Indeed, the layout of this lot in 1914, well prior to the adoption of the current zoning regulations, is a persuasive factor in justifying the variance relief. Although in most cases, the side of the house facing the water is considered the front, the characteristics of this neighborhood are such that most houses are oriented to face Chesapeake Avenue. A Zoning Advisory Committee (ZAC) comment submitted by the Office of Planning indicated that articulation should be provided through the use of design elements for the new dwelling to produce a typical front façade. In this regard, Mr. Moskunus presented schematic drawings of the dwelling to be constructed (Petitioner's Exhibit 2B), which have been reviewed and approved by the Office of Planning. Through the use of porch roofs and other architectural elements, the rear elevation of the dwelling will incorporate design elements typically associated with the front of a dwelling. Variance relief is also requested from Section 400.1 of the B.C.Z.R. as it relates to the proposed garage. As shown on the site plan, the proposed garage will be located in the front yard, which appears consistent with other garages in the area.

ORDER RECEIVED FOR FILING

Date

By

Finally, standard Zoning Advisory Committee comments were received from the Bureau of Development Plans Review and the Department of Environmental Protection and Resource Management (DEPRM) regarding the environmental constraints associated with this property. Obviously, due to its waterfront location, the property is subject to Chesapeake Bay Critical Area regulations. Additionally, a portion of the property is located within a floodplain and certain conditions are mandated so that the project will conform to Federal Flood Insurance requirements. Mr. Moskunas indicated that he had reviewed those regulations and ZAC comments and his client does not object to their incorporation into this approval.

Based upon the testimony and evidence presented, I am persuaded to grant the requested relief. As noted above, no one appeared in opposition to the request and there were no adverse ZAC comments submitted by any Baltimore County reviewing agency. Moreover, it appears that the project will be in compliance with all development regulations, including Chesapeake Bay Critical Areas and floodplain regulations, and that relief can be granted without detrimental impact upon the health, safety and general welfare of the surrounding locale.


Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 15<sup>th</sup> day of April, 2002 that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a dwelling on an undersized lot, pursuant to Section 304, and to permit a lot width of 50 feet in lieu of the required 70 feet, a side yard setback of 3 feet in lieu of the required 15 feet, and a sum of the side yards of 13 feet in lieu of the required 25 feet, pursuant to Section 1B02.3.C.1 thereof; and from Section 400.1 to permit an accessory structure (garage) to be located in the front yard in lieu of the required rear yard, in accordance with Petitioner's Exhibit 12, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal

period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

- 2) The proposed dwelling will be constructed substantially in accordance with the building elevation drawings reviewed and approved by the Office of Planning, a copy of which was submitted into evidence as Petitioner's Exhibit 2B.
- 3) Compliance with Chesapeake Bay Critical Areas regulations and Flood Plain regulations as set forth in the ZAC comments submitted by the Department of Environmental Protection and Resource Management and the Bureau of Development Plans Review.
- 4) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.



LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING  
Date 4/15/02  
By [Signature]



Baltimore County  
Zoning Commissioner

Suite 405, County Courts Bldg.  
401 Bosley Avenue  
Towson, Maryland 21204  
410-887-4386  
Fax: 410-887-3468

April 15, 2002

Mr. & Mrs. John J. Terzano  
9321 Ramblebrook Road  
Baltimore, Maryland 21236

RE: PETITION FOR VARIANCE  
W/S Chesapeake Avenue, 215' N of the c/l Chester Road  
(1312 Chesapeake Avenue)  
15<sup>th</sup> Election District – 5<sup>th</sup> Council District  
John J. Terzano, et ux - Petitioners  
Case No. 02-330-A

Dear Mr. & Mrs. Terzano:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:bjs

cc: Mr. Vincent Moskunus, Site Rite Surveying, Inc.  
200 E. Joppa Road, Room 101, Towson, Md. 21286  
Chesapeake Bay Critical Areas Commission,  
1804 West Street, Suite 100, Annapolis, Md. 21401  
Office of Planning; Bureau of Development Plans Review; DEPRM  
People's Counsel; Case File

Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)





CB CA & Hood

# Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1312 Chesapeake Avenue  
which is presently zoned DP 3.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1802.3.C.1 & 400.1; BCZR,

TO PERMIT A DWELLING ON AN <sup>UNDERSIZE 304</sup> LOT 50 ft. WIDE IN LIEU OF THE REQUIRED 70 ft., TO PERMIT A SIDEYARD SETBACK OF 3 ft. IN LIEU OF THE REQUIRED 15 ft., A SUM OF SIDEYARDS OF 13 ft. IN LIEU OF THE REQUIRED 25 ft., AND A GARAGE TO BE LOCATED IN THE FRONT YD. IN LIEU OF REQ'D REAR of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

1. Lot of record since August 1914, adjacent lots are 50' widths.
2. Owner does not own any adjacent property to meet BCZR min. lot width and sideyard setbacks
3. Strict compliance with requirements would unreasonably prevent the use of the property for its permitted purpose.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

### Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

### Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

### Legal Owner(s):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

City

State

Zip Code

### Representative to be Contacted:

Bernadette Moskunas

Site Rite Surveying Inc

Name

200 E. Joppa Road Room 101

Address

City

State

Zip Code

### OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By JCM

Date

2.8.02

Case No. 02-330A

REU 9/15/98

ORDER RECEIVED FOR FILING  
Date 4/15/02  
By [Signature]

*ZONING DESCRIPTION FOR #1312 CHESAPEAKE AVENUE*

*BEGINNING AT A POINT ON THE WEST SIDE OF CHESAPEAKE AVENUE WHICH IS 40 FEET WIDE AT THE DISTANCE OF 215 FEET NORTH OF THE CENTERLINE OF CHESTER ROAD WHICH IS 30 FEET WIDE. BEING LOT #164 IN THE SUBDIVISION OF "LONG BEACH ESTATES" AS RECORDED IN BALTIMORE COUNTY PLAT BOOK #4, FOLIO #131, CONTAINING 0.457 ACRES. ALSO KNOWN AS #1312 CHESAPEAKE AVENUE AND LOCATED IN THE 15TH ELECTION DISTRICT, 5TH. COUNCILMANIC DISTRICT.*



*J. TILGHMAN DOWNEY, JR.*

*Site Rite Surveying, Inc.  
200 E. Joppa Road  
Suite 101  
Towson, MD 21286  
(410)828-9060*

330

BALTIMORE COUNTY, MARYLAND  
OFFICE OF BUDGET & FINANCE  
MISCELLANEOUS RECEIPT

330 No. 09954

DATE 2.6.02

ACCOUNT 001-016-6150

AMOUNT \$ 50.00

RECEIVED J. TERZANO 1312 CHESAPEAKE

FROM: (010) GAR. Ave.

DISTRIBUTION  
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT ACTUAL TIME  
2/11/2002 2/08/2002 14:35:53

RECEIPT # 250063 OF  
CASHIER: REOS LRG DRAWER

DEBIT 5 528 ZONING VERIFICATION

Receipt Tot 50.00  
50.00 OK  
Baltimore County, Maryland

CASHIER'S VALIDATION



#### NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #02-330-A

1312 Chesapeake Avenue

W/S of Chesapeake Avenue, 215' +/- N centerline of Chester Road

15th Election District - 5th Councilmanic District

Legal Owner(s): John T. Terzano

**Variance:** to permit a dwelling on an undersized lot 50 feet wide in lieu of the required 70 feet to permit a side yard setback of 3 feet in lieu of the required 15 feet; a sum of side yards of 13 feet in lieu of the required 25 feet and a garage to be located in the front yard in lieu of the required rear yard.

**Hearing:** Friday, April 5, 2002 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

**NOTES:** (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391:  
3/208 March 21 C526784

## CERTIFICATE OF PUBLICATION

3/21, 2002

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 3/21, 2002.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

J. Wilkinson

LEGAL ADVERTISING

# ZONING NOTICE

CASE # 02-330-A

A PUBLIC HEARING WILL BE HELD BY  
THE ZONING COMMISSIONER  
IN TOWSON, MD

ROOM 407, COUNTY COURTS BLDG.

PLACE: 401 BOSLEY AVENUE

FRIDAY, APRIL 5, 2002

DATE AND TIME: AT 9:00AM

REQUEST: **VARIANCE** - TO PERMIT A DWELLING  
ON AN UNDER SIZED LOT 50 FEET WIDE IN  
LIEU OF THE REQUIRED 70 FEET TO PERMIT  
A SIDE YARD SETBACK OF 3 FEET IN LIEU OF  
THE REQUIRED 15 FEET; A SUM OF SIDE YARDS  
OF 13 FEET IN LIEU OF THE REQUIRED 25 FEET  
AND A GARAGE TO BE LOCATED IN THE FRONT  
YARD IN LIEU OF THE REQUIRED REAR YARD

PROSECUTIONS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.  
TO CONTINUE HEARING CALL 867-3393  
AND REPORT ON DAY OF HEARING UNDER PENALTY OF LAW  
ACQUAINTANCE



## ZONING NOTICE

CASE # 02-330-A

A PUBLIC HEARING WILL BE HELD BY  
THE ZONING COMMISSIONED  
IN TOWSON, MD

At 400 County Courthouse Building

PLACE: 400 County Courthouse Building

DATE AND TIME: 11:00 AM

REPRESENT: 11:00 AM

ON: 11:00 AM

11:00 AM

11:00 AM

11:00 AM

11:00 AM

11:00 AM

11:00 AM

11:00 AM

11:00 AM

11:00 AM

11:00 AM

# CERTIFICATE OF POSTING

RE: Case No.: 02-330-A

Petitioner/Developer: \_\_\_\_\_

LOIS & JOHN TERZANO

Date of Hearing/Closing: April 5, 2002

Baltimore County Department of  
Permits and Development Management  
County Office Building, Room 111  
111 West Chesapeake Avenue  
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law  
were posted conspicuously on the property located at \_\_\_\_\_

1312 CHESAPEAKE AVE.

The sign(s) were posted on MAR. 26, 2002  
(Month, Day, Year)

Sincerely,

Garland E. Moore  
(Signature of Sign Poster and Date)

GARLAND E. MOORE  
(Printed Name)

3225 RYERSON CIRCLE  
(Address)

BALTIMORE, MD. 21227  
(City, State, Zip Code)

(410) 242-4263  
(Telephone Number)

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT  
ZONING REVIEW**

**ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS**

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

**OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.**

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**For Newspaper Advertising:**

Item Number or Case Number: 330  
Petitioner: JOHN TERZANO  
Address or Location: 1312 Chesapeake Ave.

**PLEASE FORWARD ADVERTISING BILL TO:**

Name: John TERZANO  
Address: 9321 RAMBLEBROOK RD.  
BALTO. Md. 21236  
Telephone Number: 410-256-6543

Revised 2/20/98 - SCJ

TO: PATUXENT PUBLISHING COMPANY  
Thursday, March 27, 2002 Issue – Jeffersonian

Please forward billing to:

John Terzano  
9321 Ramblebrook Road  
Baltimore MD 21236

410 256-6543

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## NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 02-330-A

1312 Chesapeake Avenue

W/S of Chesapeake Avenue, 215" +/- N centerline of Chester Road

15<sup>th</sup> Election District – 5<sup>th</sup> Councilmanic District

Legal Owner: John J Terzano

Variance to permit a dwelling on an undersized lot 50 feet wide in lieu of the required 70 feet to permit a side yard setback of 3 feet in lieu of the required 15 feet; a sum of side yards of 13 feet in lieu of the required 25 feet and a garage to be located in the front yard in lieu of the required rear yard.

HEARING: Friday, April 5, 2002 at 9:00 a.m. in Room 407, County Courts Building,  
401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT G D Z  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County  
Department of Permits and  
Development Management

Director's Office  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
410-887-3353  
Fax: 410-887-5708

February 26, 2002

## NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 02-330-A  
1312 Chesapeake Avenue  
W/S of Chesapeake Avenue, 215" +/- N centerline of Chester Road  
15<sup>th</sup> Election District – 5<sup>th</sup> Councilmanic District  
Legal Owner: John J Terzano

Variance to permit a dwelling on an undersized lot 50 feet wide in lieu of the required 70 feet to permit a side yard setback of 3 feet in lieu of the required 15 feet; a sum of side yards of 13 feet in lieu of the required 25 feet and a garage to be located in the front yard in lieu of the required rear yard.

HEARING: Friday, April 5, 2002 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon G.D.L.  
Director

C: Lois E & John J Terzano, 9321 Ramblebrook Road, Baltimore 21236  
Bernadette Moskunus, Site Rite Surveying Inc, 200 E Joppa Road,  
Room 101, Towson 21286

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, MARCH 27, 2002.**  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.





Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
pdmlandacq@co.ba.md.us

March 29, 2002

Mr. & Mrs. John J. Terzano  
9321 Ramblebrook Road  
Baltimore MD 21236

Dear Mr. & Mrs. Terzano:

RE: Case Number: 02-330-A, 1312 Chesapeake Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 08, 2002.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

*W. Carl Richards, Jr.*

W. Carl Richards, Jr. G02  
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: Bernadette Moskunus, Site Rite Surveying Inc, 200 E Joppa Road, Room 101,  
Towson 21286  
People's Counsel

Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)





**BALTIMORE COUNTY, MARYLAND**  
**INTEROFFICE CORRESPONDENCE**

**TO:** Arnold Jablon, Director  
Department of Permits & Development  
Management

**FROM:** Robert W. Bowling, Supervisor  
Bureau of Development Plans Review

**SUBJECT:** Zoning Advisory Committee Meeting  
for March 4, 2002  
Item No. 330

**DATE:** March 21, 2002

The Bureau of Development Plans Review has reviewed the subject zoning item.

Flood protection elevation for this site is 11.2 feet.

In conformance with Federal Flood Insurance requirements, the first floor or basement floor must be at least 1 foot above the flood plain elevation in all construction.

In accordance with Bill No. 18-90, Section 26-276, filling within a flood plain is prohibited.

The property to be developed is located adjacent to tidewater. The developer is advised that the proper sections of the Baltimore County Building Code must be followed whereby elevation limitations are placed on the lowest floor (including basements) of residential development.

The building engineer shall require a permit for this project.

Building shall be designed and adequately anchored to prevent floatation, collapse or lateral movement of structure with materials resistant to flood damage.

Flood resistant construction shall be in accordance with requirement of BOCA International Building Code adopted by the County.

RWB:HJO:cab

cc: File



Baltimore County  
Fire Department

Office of the Fire Marshal  
700 East Joppa Road  
Towson, Maryland 21286-5500  
410-887-4880

February 28, 2002

Department of Permits and  
Development Management (PDM)  
County Office Building, Room 111  
Mail Stop #1105  
111 West Chesapeake Avenue  
Towson, Maryland 21204

ATTENTION: George Zahner

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF February 25, 2002

Item No.: 285, 318, 320, 322, 324, 327, 329, 330

Dear Ms. Stephens:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Baltimore County Fire Prevention Code prior to occupancy or beginning of operation.

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office  
PHONE 887-4881, MS-1102F

cc: File

Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *RBS/TGT*

DATE: March 25, 2002

SUBJECT: Zoning Item 330  
Address 1312 Chesapeake Avenue

Zoning Advisory Committee Meeting of February 25, 2002

- \_\_\_\_\_ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.
- \_\_\_\_\_ The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.
- X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:
- \_\_\_\_\_ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).
- \_\_\_\_\_ Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).
- X Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

\_\_\_\_\_ Additional Comments:

Reviewer: Keith Kelley

Date: March 25, 2002

June  
4/5

# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

**TO:** Arnold Jablon, Director  
Department of Permits and  
Development Management

**DATE:** March 1, 2002

**FROM:** Arnold F. 'Pat' Keller, III  
Director, Office of Planning

**SUBJECT:** 1312 Chesapeake Avenue

**INFORMATION:**

**Item Number:** 02-330

**Petitioner:** John J. Terzano

**Zoning:** DR 3.5

**Requested Action:** Variance

**SUMMARY OF RECOMMENDATIONS:**

The Office of Planning supports the petitioner's request contingent upon the following:

1. The rear of the home will be facing the street; therefore, more articulation should be provided through the use of design elements that provide as much architectural detail as a typical front façade.

**Prepared by:** Mark A. Cunningham

**Section Chief:** Lynne Spahn

AFK/LL:MAC

MAP



**Maryland Department of Transportation**  
**State Highway Administration**

Parris N. Glendening  
Governor

John D. Porcari  
Secretary

Parker F. Williams  
Administrator

Date: 2.22.02

Mr. George Zahner  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

RE: Baltimore County  
Item No. 330

JCM

Dear Mr. Zahner:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

Kenneth A. McDonald Jr., Chief  
Engineering Access Permits Division

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

RE: PETITION FOR VARIANCE  
1312 Chesapeake Avenue, W/S Chesapeake Ave,  
215' N of c/l Chester Rd  
15th Election District, 5th Councilmanic

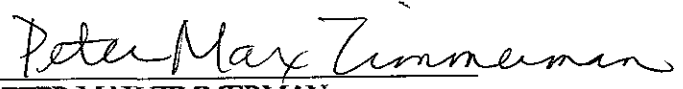
Legal Owner: John J. Terzano  
Petitioner(s)

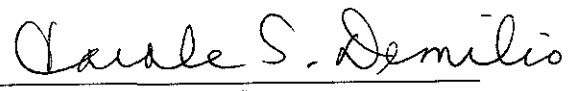
\* BEFORE THE  
\* ZONING COMMISSIONER  
\* FOR  
\* BALTIMORE COUNTY  
\* Case No. 02-330-A

\* \* \* \* \*

**ENTRY OF APPEARANCE**

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. **All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.**

  
PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

  
CAROLE S. DEMILIO  
Deputy People's Counsel  
Old Courthouse, Room 47  
400 Washington Avenue  
Towson, MD 21204  
(410) 887-2188

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 25<sup>th</sup> day of February, 2002 a copy of the foregoing Entry of Appearance was mailed to Bernadette L. Moskunas, Site Rite Surveying, Inc., 200 E. Joppa Road, Room 101, Towson, MD 21286, representative for Petitioners.

  
PETER MAX ZIMMERMAN

**INTER-OFFICE CORRESPONDENCE  
RECOMMENDATION FORM**

**TO:** Director, Office of Planning & Community Conservation  
Attention: Jeffrey Long  
County Courts Building, Room 406  
401 Bosley Avenue  
Towson, MD 21204

Permit or Case No. 02-330A

**FROM:** Arnold Jablon, Director  
Department of Permits & Development Management

Residential Processing Fee Paid  
(\$50.00)

Accepted by \_\_\_\_\_  
Date \_\_\_\_\_

**RE:** Undersized Lots

Pursuant to Section 304.2 (Baltimore County Zoning Regulations) effective June 25, 1992, this office is requesting recommendations and comments from the Office of Planning and Community Conservation prior to this office's approval of a dwelling permit

**MINIMUM APPLICANT SUPPLIED INFORMATION:**

Site Rite Surveying Inc.  
Emmabelle L. Moskunas 200 E. Joppa Road Room 101 Towson, MD 21286 410 828-9060  
Print Name of Applicant Address Telephone Number

Lot Address 1312 Chesapeake Avenue Election District 15 Councilmanic District 5 Square Feet 19,950

Lot Location: N E S W side/corner of Chesapeake Avenue 215' feet from N E S W corner of Chester Road  
(street) (street)

Land Owner: John and Lois Terzano Tax Account Number 1503002270

Address: 9321 Ramblebrook Rd. Balt. MD 21236 Telephone Number 410 256-6543

CHECKLIST OF MATERIALS- (to be submitted for design review by the Office of Planning and Community Conservation)

**TO BE FILLED IN BY ZONING REVIEW, DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ONLY!**

	YES	NO
1. This Recommendation Form (3 copies)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Permit Application	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Site Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Property (3 copies)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Topo Map (2 copies): available in Room 206, County Office Building - (please label site clearly)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Building Elevation Drawings	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Photographs (please label all photos clearly)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Adjoining Buildings	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Surrounding Neighborhood	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Current Zoning Classification: <u>D.P. 3.5</u>		

**TO BE FILLED IN BY THE OFFICE OF PLANNING ONLY!**

**RECOMMENDATIONS / COMMENTS:**

☐ Approval ☐ Disapproval ☐ Approval conditioned on required modifications of the application to conform with the following recommendations

02-330

Signed by: \_\_\_\_\_  
for the Director, Office of Planning and Community Conservation

Date 2-8-02

# SCHEDULED DATES CERTIFICATE OF FILING AND POSTING FOR A BUILDING PERMIT APPLICATION PURSUANT TO SECTION 304.2

Department of Permits and Development Management (PDM)  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

The application for your proposed Building Permit application has been reviewed and is accepted for filing by \_\_\_\_\_ on \_\_\_\_\_ Date \_\_\_\_\_ (A)  
(name of planner)

A sign indicating the proposed building must be posted on the property for fifteen (15) days before a decision can be rendered. The cost of filing is \$50.00. This fee is subject to change. Confirm all current fees prior to filing the application.

In the absence of a request for public hearing during the 15-day posting period, a decision can be expected within approximately four weeks. However, if a valid demand is received by the closing date, then the decision shall only be rendered after the required public special hearing.

\*SUGGESTED POSTING DATE \_\_\_\_\_ D (15 Days Before C)

DATE POSTED \_\_\_\_\_

HEARING REQUESTED? YES \_\_\_\_\_ NO \_\_\_\_\_ - DATE \_\_\_\_\_

CLOSING DAY (LAST DAY FOR HEARING DEMAND) \_\_\_\_\_ C (B-3 Work Days)

TENTATIVE DECISION DATE \_\_\_\_\_ B (A + 30 Days)

\*Usually within 15 days of filing

---

## CERTIFICATE OF POSTING

District: \_\_\_\_\_

Location of Property: \_\_\_\_\_

Posted by: \_\_\_\_\_ Signature \_\_\_\_\_ Date of Posting: \_\_\_\_\_

Number of Signs: \_\_\_\_\_



PETITIONER(S) SIGN-IN SHEET

ADDRESS  
200 E. Joppa Rd. Towson, MD. 21286  
9331 RAMBLEBROOK RD. BALTO. MD  
21236

Click here for a plain text ADA compliant screen.



**Maryland Department of Assessments and Taxation**  
**BALTIMORE COUNTY**  
**Real Property Data Search**

[Go Back](#)  
[View Map](#)  
[New Search](#)

**Account Identifier:** District - 15 Account Number - 1503002270

**Owner Information**

**Owner Name:** TERZANO JOHN J  
 TERZANO LOIS E  
**Use:** RESIDENTIAL  
**Principal Residence:** YES  
**Mailing Address:** 1312 CHESAPEAKE AVE  
 BALTIMORE MD 21220-4318  
**Deed Reference:** 1) /15523/ 565  
 2)

**Location & Structure Information**

**Premises Address** 1312 CHESAPEAKE AVE  
**Zoning** WATERFRONT  
**Legal Description** 1312 CHESAPEAKE AVE  
 LONG BEACH ESTATES

Map	Grid	Parcel	Subdivision	Section	Block	Lot	Group	Plat No:	C
98	4	203				164	82	Plat Ref:	4/ 131

**Special Tax Areas** Town Ad Valorem Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1914	816 SF	19,950.00 SF	34

Stories	Basement	Type	Exterior
1	NO	STANDARD UNIT	SIDING

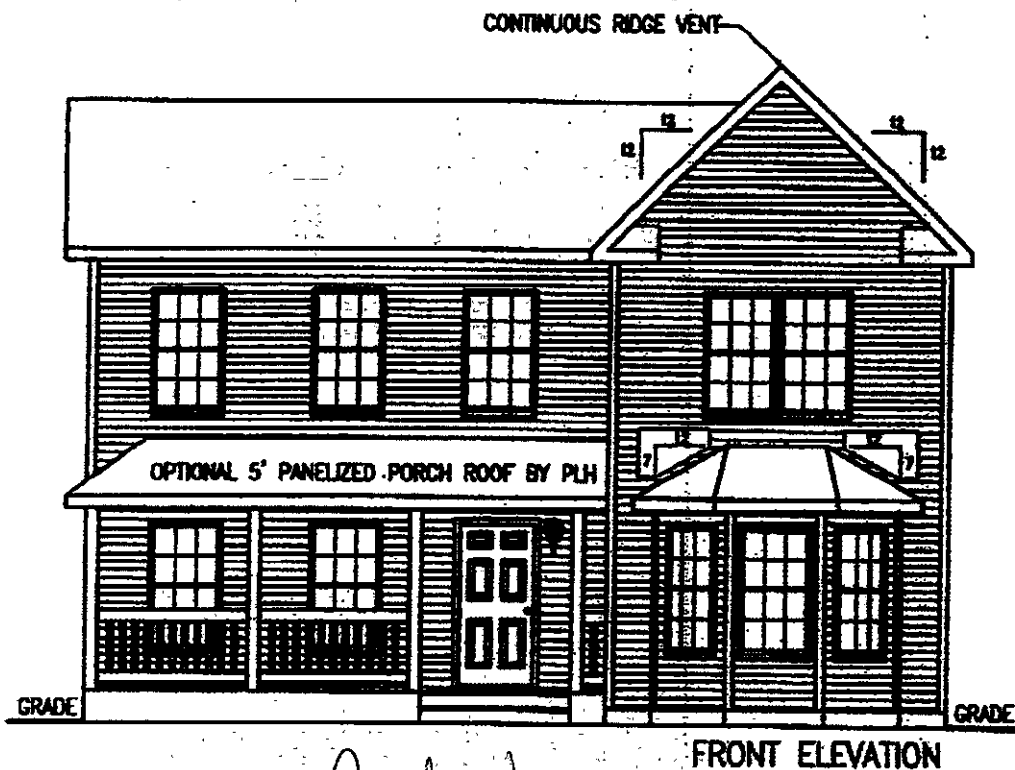
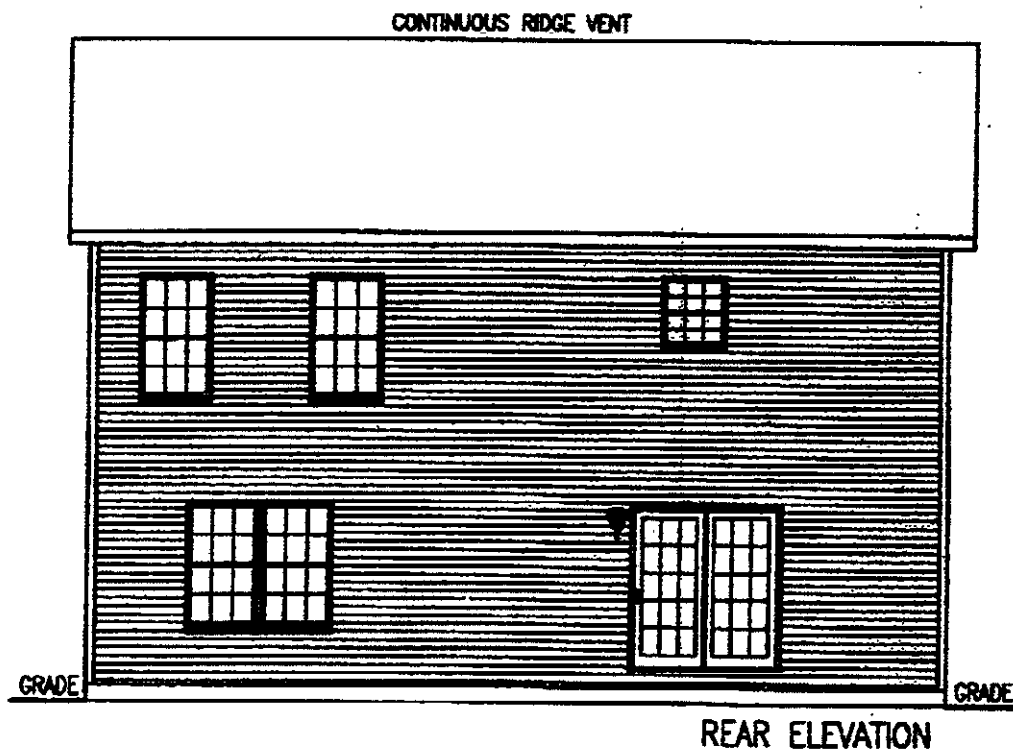
**Value Information**

	Base Value	Value As Of	Phase-in Assessments As Of	Phase-in Assessments As Of
		01/01/2000	07/01/2001	07/01/2002
<b>Land:</b>	103,980	113,730		
<b>Improvements:</b>	40,850	41,430		
<b>Total:</b>	144,830	155,160	151,716	155,160
<b>Preferential Land:</b>	0	0	0	0

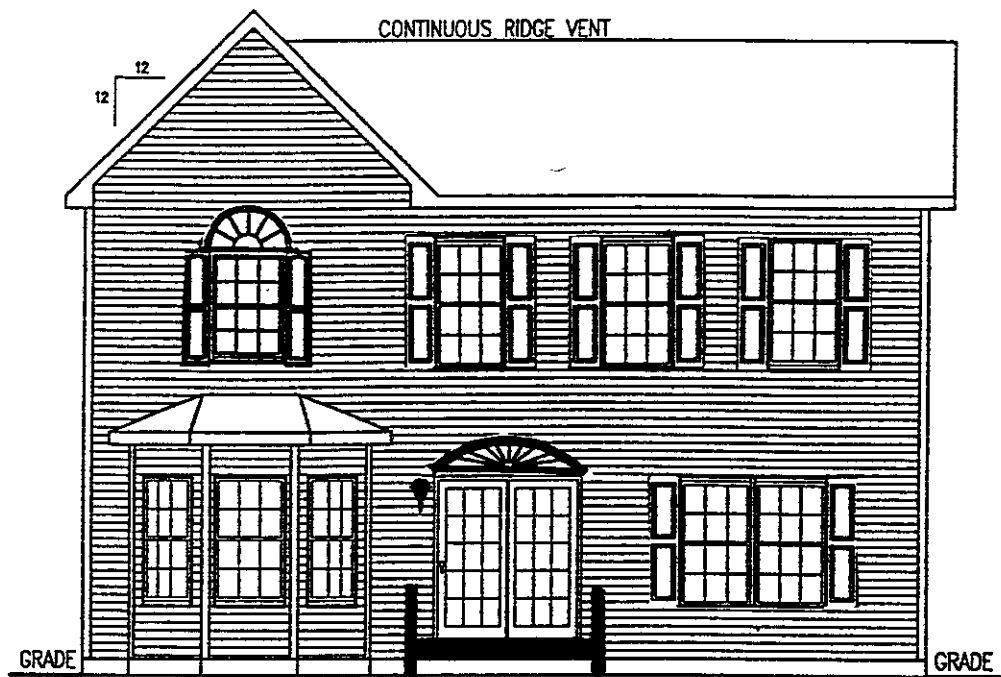
**Transfer Information**

**Seller:** CARR JACQUELINE Y  
**Type:** IMPROVED ARMS-LENGTH  
**Date:** 08/29/2001  
**Deed1:** / 2725/ 31  
**Price:** \$200,000  
**Deed2:**

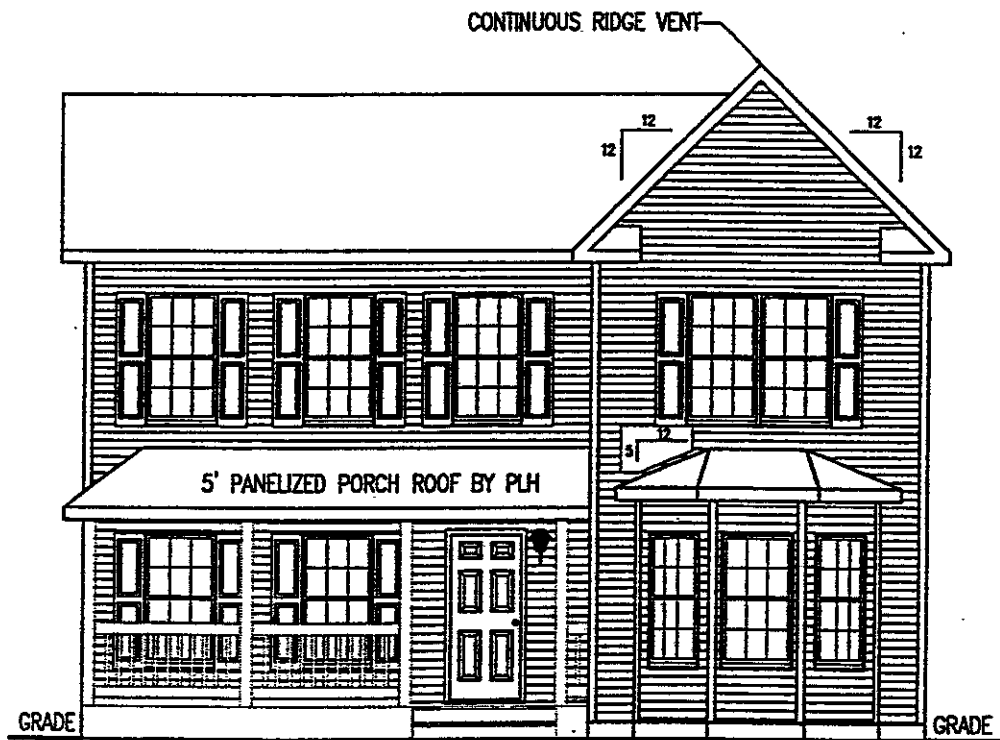
Post-It® Fax Note	7671	Date	2/21/02	# of pages	1
To	Donadette Mackinnon	From	PLH		
Co./Dept.	Site Rite	Co.	Planning		
Phone	410-828-9060	Phone #	887-3450		
Fax #	410-828-9066	Fax #			



Ref No 2 A



FRONT ELEVATION



REAR ELEVATION

NOTES:

1. ELEVATIONS ARE SUGGESTIVE ONLY.
2. ALL EXTERIOR RAILINGS, DECKS, AND ACCESS TO GRADE BY BUILDER
3. SEE SALES AGREEMENT FOR ALL MATERIALS AND SPECIFICATIONS.

*Feb 23*

# SPRING

501°32'11"E  
6-S

OWNERS.  
Charles Ann  
Dobert  
Ann C. & Ann C.

304  
my Elizabeth  
O

168<sup>26</sup>

22  
22



501°04'07"E  
501°09'00"  
116°42'36"E 73.80'  
116°24'15"E 67.28'  
299°E  
270°  
NEW 501°00'  
501°30'  
1-7-BRG

714A

80

264

101.19

# PLAN "C" LONG BEACH ESTATES

SUB-DIVIDED BY  
CITYCO REALTY CO.

BALTIMORE, MD.

SCALE 1"=200'

NOV 1910

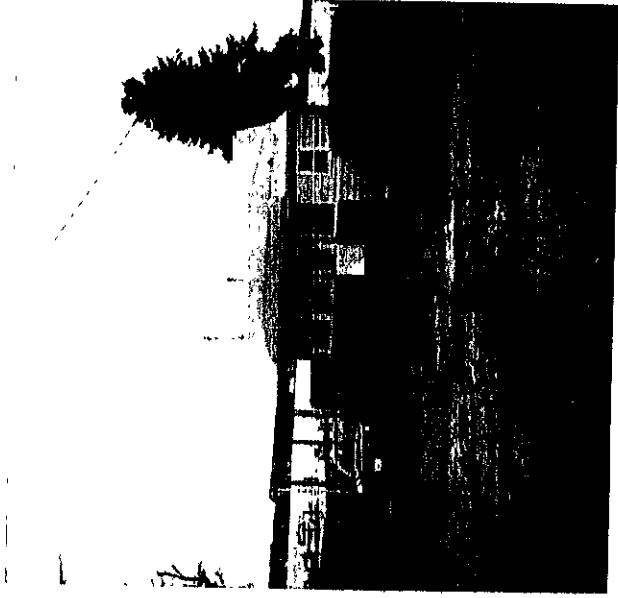
2 E. LEXINGTON ST

ST. PAUL 3652

240010. MUSE R

To Boxley's Quarters

380.4  
380.4  
383.6  
355.90  
85-A  
273  
72  
86-A  
71  
35-A  
50.64



View From Road

12/1/00



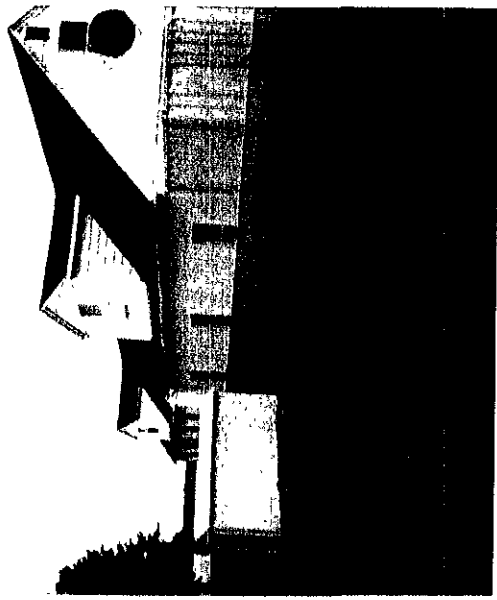
Left side of home looking  
From Road



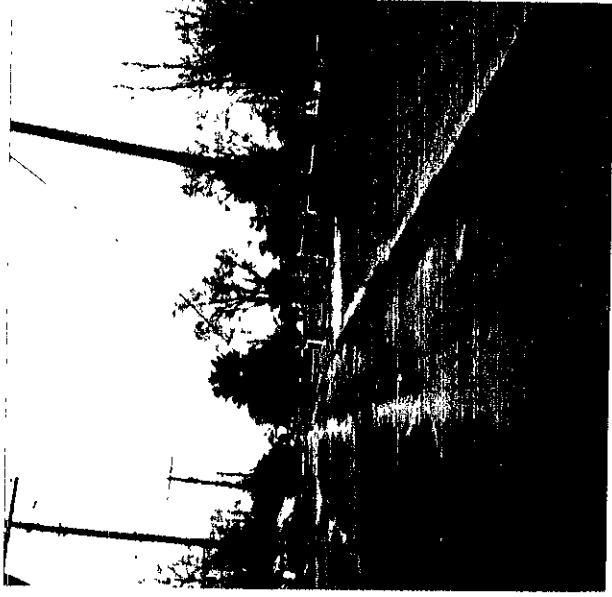
Right side of home looking  
From Road



View down Driveway to Home  
From Chesapeake Ave



Neighbors (#1310) garage on  
Property Line. Shed to be removed



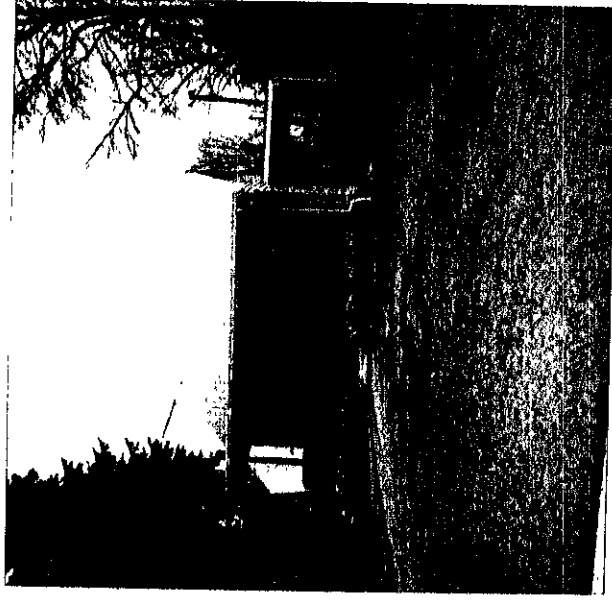
Looking Down Chesapeake Ave South  
towards SUSQUEHANNA AVE.  
Property on Right



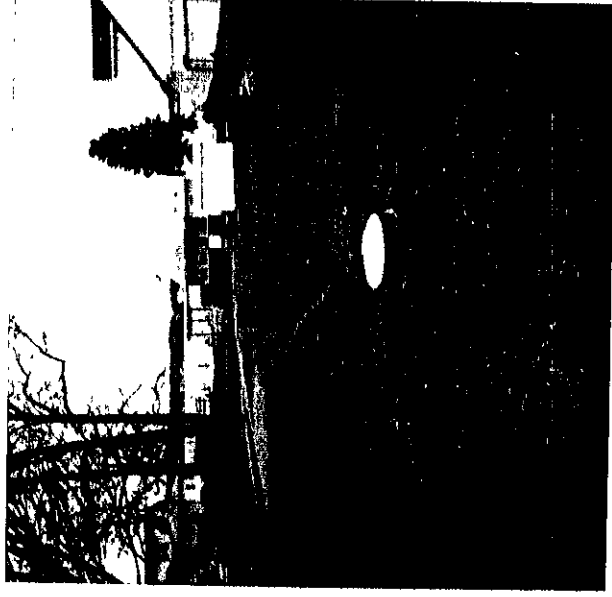
Looking up Chesapeake Ave North  
going Towards SUSQUEHANNA AVE  
Property on Left



Water Front View From House  
Existing sidewalk and concrete + stone  
Bulkhead and Landings



View From Water Front

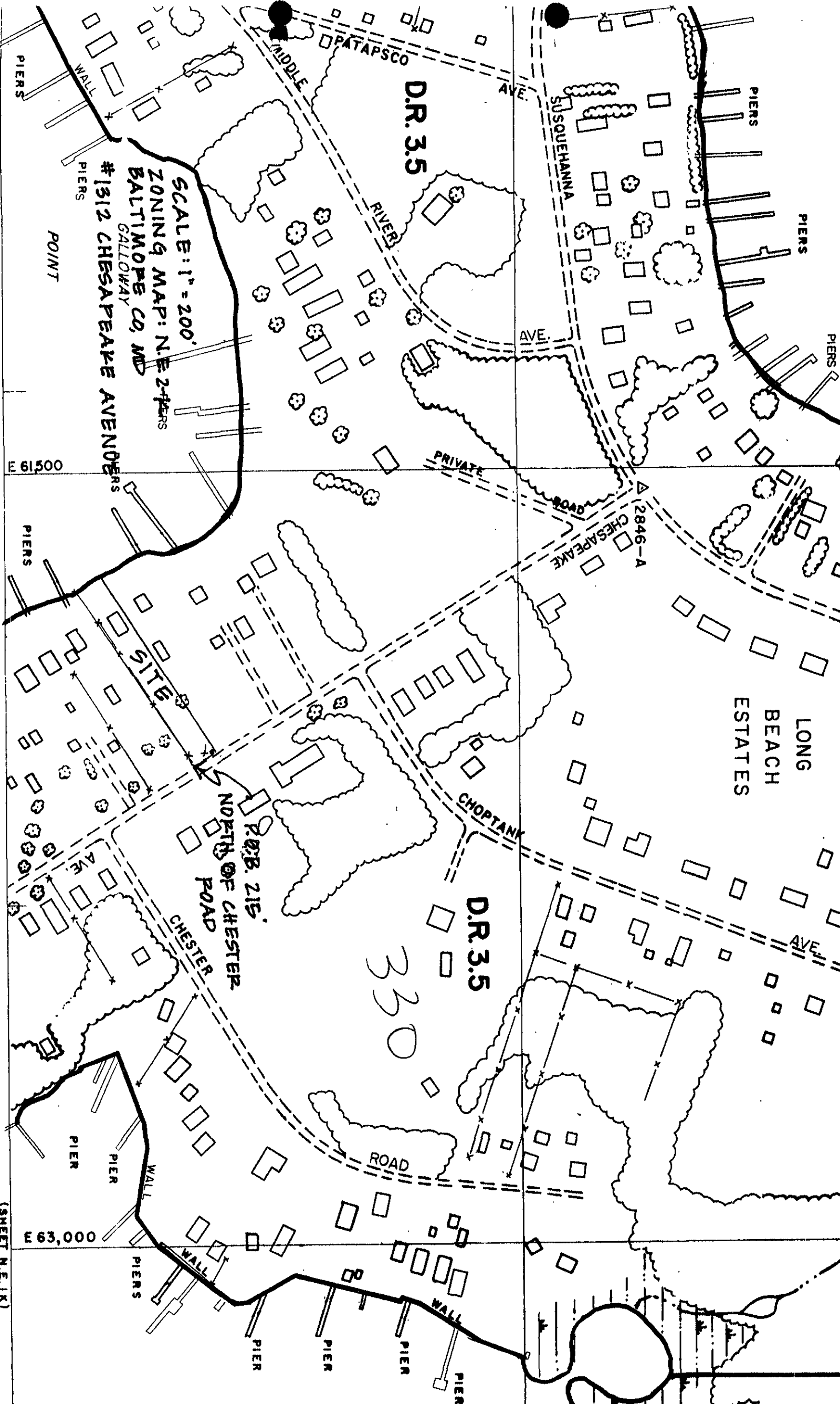


Ejector pump installed  
(Between House + Road)



Left Side Looking From water





SCALE: 1" = 200'  
ZONING MAP: N.E. 2-PIERS  
BALTIMORE CO, MD  
#1312 CHESAPEAKE AVENUE  
GALLOWAY

DR. 3.5

DR. 3.5

330

208.215  
NORTH OF CHESTER  
ROAD

LONG  
BEACH  
ESTATES

AVE.

ROAD

2846-A  
CHESAPEAKE  
ROAD

CHOPTANK

CHESTER

MIDDLE

PATAPSCO

SUSQUEHANNA

AVE.

PRIVATE

POINT

PIERS

PIERS

PIERS

PIERS

PIERS

PIERS

SITE

AVE.

PIER

PIER

PIERS

WALL

PIER

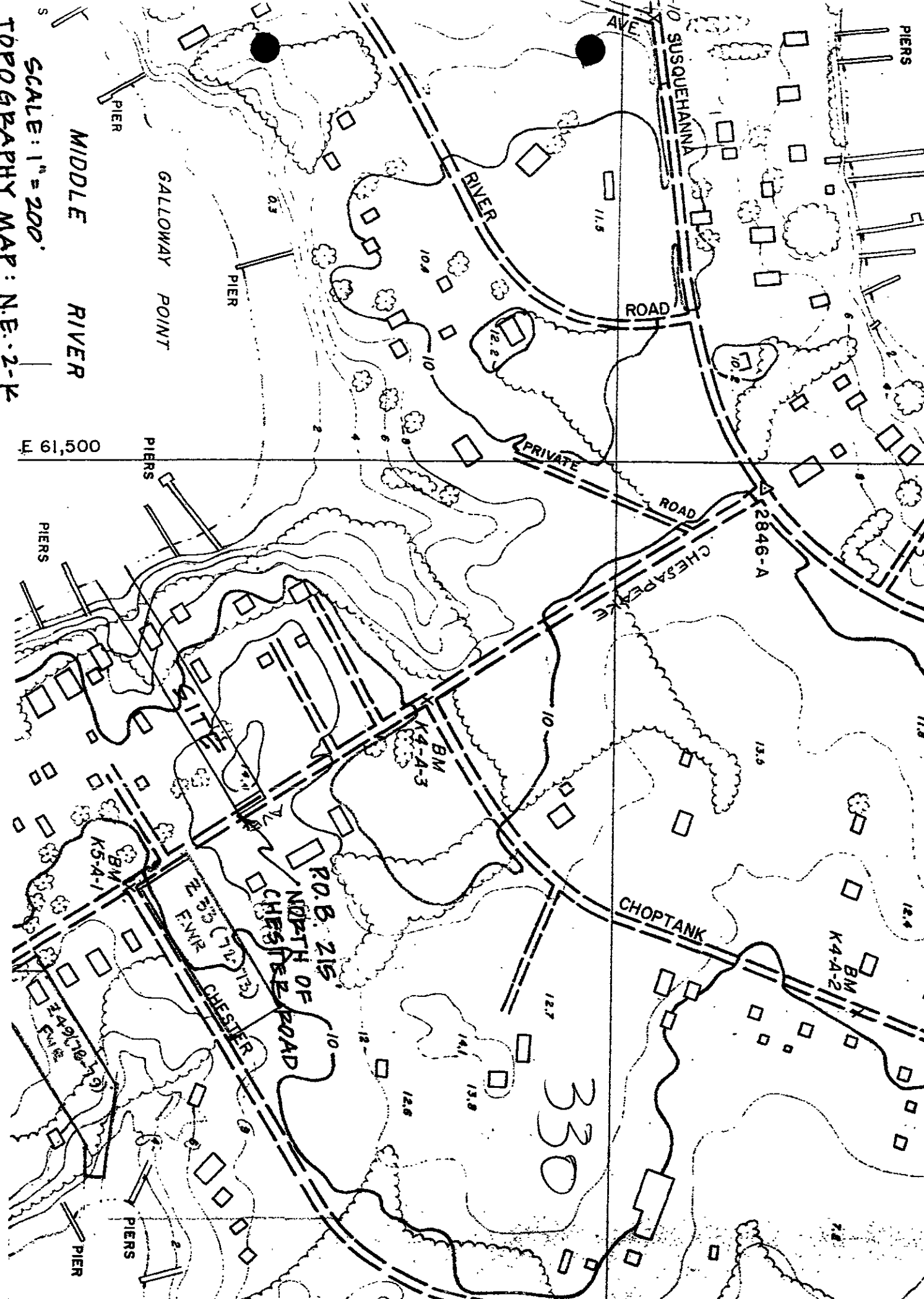
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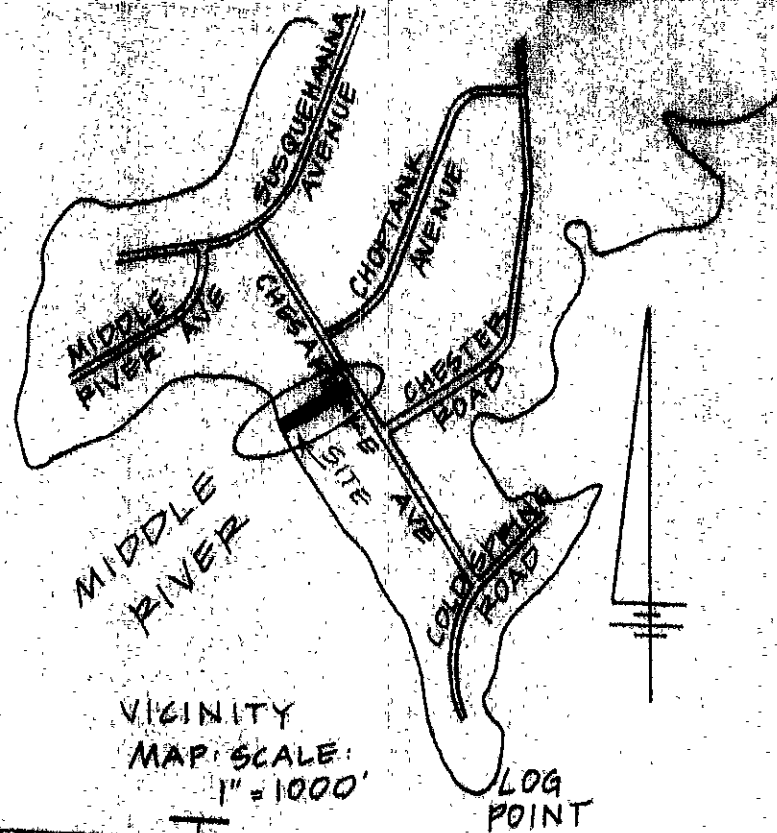
WALL

SCALE: 1" = 200'  
TOPOGRAPHY MAP: N.E.-2-K  
#1312 CHESAPEAKE AVENUE  
BALTIMORE CO, MD

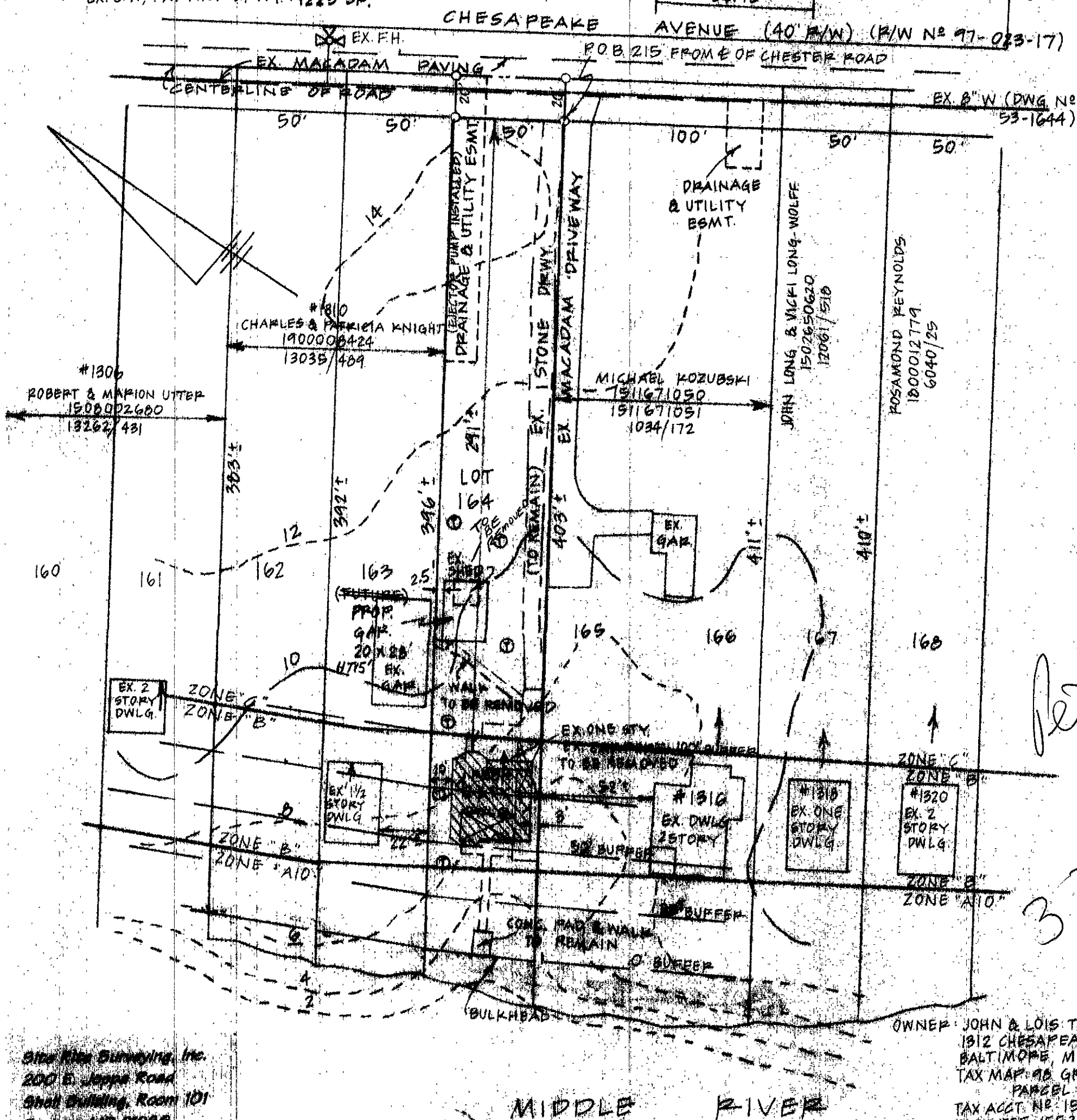
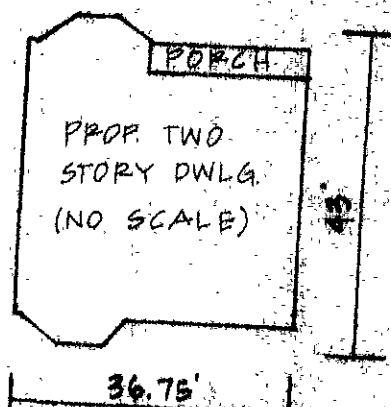


E 61,500

LOT 164  
"LONG BEACH ESTATES" 4/131  
ELECTION DISTRICT NO 15 CB  
BALTIMORE CO, MD  
SCALE 1" = 50'  
JANUARY 31, 2002  
02-8629



1. EX. ZONING: DR 3.5
2. 200 SCALE MAP: N.E. 2-K
3. LOT SIZE: 19,950 SF OR 0.457 AC.
4. PUBLIC WATER AND SEWER (EJECTOR PUMP/JOB #1-85-9)
5. NOT LOCATED IN HISTORIC AREA
6. LOCATED IN CHESAPEAKE BAY CRITICAL AREA
7. LOCATED IN 100 YEAR FLOODPLAIN AREA
8. COMMUNITY PANEL NO. 240010 DISTRICT ZONE "A10" "B" "C"
9. EX. USE: SINGLE FAMILY DWLG TO BE REZONED  
PROP. USE: SINGLE FAMILY DWLG. (OVERALL HOUSE SIZE: 36'-9" x 43'-0")
10. ALLOWABLE 25% IMPERVIOUS AREA: 4987 SF
11. ALL DOWNSPOUTS SHALL DISCHARGE RAINWATER ACROSS THE LAWN (NOT TOWARDS THE RIVER)
12. MUST HAVE A MINIMUM OF 15% TREE COVERAGE  
\* SIX (6) TREES SHALL REMAIN OR BE ESTABLISHED BY U & O.  
\* ANY TREE REMOVED FROM 100 FT BUFFER ZONE SHALL BE REPLACED ON A ONE TO ONE BASIS.  
\* TREES SHOWN AS ⑦
13. PROPOSED IMPERVIOUS AREA:  
PROP. DWLG.: 1470 SF  
PROP. GAR.: 560 SF  
EX. C.W., PAD AND DRWY.: 1225 SF



Site Map Surveying, Inc.  
200 E. Joppe Road  
Shall Building, Room 101  
Towson, MD 21206  
(410) 281-3060

OWNER JOHN & LOIS TERZANO  
1912 CHESAPEAKE AVE  
BALTIMORE, MD 21220  
TAX MAP 98 GRID 4  
PARCEL 203  
TAX ACCT NR 1503002270  
DEED REF 15523/565